

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, APRIL 11, 1994
AT 5:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 5:02 p.m. Mayor Golding adjourned the meeting at 8:41 p.m. to meet in Closed Session Tuesday, April 12, 1994, at 9:00 a.m., in the twelfth floor conference room to discuss pending and potential litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Roberts-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present
- Clerk-Abdelnour (pii)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Roberts-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present

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- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Reverend Donna Eubanks of the
Metropolitan Community Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Stevens.

FILE LOCATION: MINUTES

PUBLIC COMMENT

ITEM-PC-1:

Comments by Don Stillwell regarding Judgement Day.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A082-097.)

ITEM-PC-2:

Comments by Scott Wright explaining his "mood swings".

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A105-109.)

ITEM-PC-3:

Comments by James Abernathy regarding installing street

lights between 12th and 16th on Broadway and problem being
fired by Goodwill.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A110-127.)

COUNCIL COMMENT

None.

ITEM-30:

SUBJECT: Commending the Abraham Lincoln Preparatory High School
1994 Boys Basketball Team.

DEPUTY MAYOR STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-94-1405) ADOPTED AS RESOLUTION R-283644

Proclaiming April 11, 1994 to be "Abraham Lincoln
Preparatory High School 1994 Boys Basketball Team Day"
in San Diego. Commending the Abraham Lincoln
Preparatory High School 1994 Boys Basketball Team for
their athletic achievements as CIF State Division IV
Boys Champions.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A142-275.)

MOTION BY STEVENS TO ADOPT. Second by McCarty. Passed by
the following vote: Mathis-yea, Roberts-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-50:

SUBJECT: Inmate Reception Center.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on
3/21/94 (Council voted 9-0):

(O-94-79) ADOPTED AS ORDINANCE O-18052 (New Series)

Authorizing the City Manager to enter into:

1) A Memorandum of Understanding with the Redevelopment Agency of the City of San Diego and the County of San Diego concerning the financing, construction, maintenance, and operation of a new 900-bed, type II, Inmate Reception Center, on County property at Front and B Streets; and

2) A Memorandum of Understanding with the County and Sheriff for the County of San Diego concerning the booking protocol for City misdemeanor arrestees booked in the Inmate Reception Center.

FILE LOCATION: MEET CONT FY94-2

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by STEVENS. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-51:

SUBJECT: Renewal of Morley Field Disc Golf Concession.

(Located at Morley Field, west of Pershing Drive.
District-3.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance, which was introduced on
3/21/94 with direction to the City Manager to revise the
agreement deleting the fence issue. (Council voted 9-0):

(O-94-81) ADOPTED AS ORDINANCE O-18053 (New Series)

Authorizing a five-year concession agreement with one
five-year option, with Leo Pierson (San Diego), for
operation of the Morley Field Disc Golf Course, at a

minimum rent of \$550 per month versus a percentage of gross income.

FILE LOCATION: LEAS-Leo Pierson (San Diego), Morley Field
Disc Golf Course LEAS FY94-1

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Stevens. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-52:

SUBJECT: Two actions related to re-zoning the property at 2469 Broadway from the GH-3000 Zone to the GH-CC Zone.

(RZ-93-0549. Greater Golden Hill Community Area.
District-8.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances which were introduced on 3/29/94.
(Council voted 9-0):

Subitem-A: (O-94-87) ADOPTED AS ORDINANCE O-18054 (New Series)

Re-zoning 0.16 acres located at 2469 Broadway, described as Lots 7 and 8 of Block 5 of the Breed and Chase subdivision, to the GH-CC Zone.

Subitem-B: (O-94-88) ADOPTED AS ORDINANCE O-18058 (New Series)

Amending Chapter X, Article 3, Division 7, of the San Diego Municipal Code, changing the boundary map for the Golden Hill Planned District.

FILE LOCATION: LAND-Golden Hill Planned District

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Stevens. Passed by the

following vote: Mathis-yea, Roberts-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-53:

SUBJECT: Pacific Beach Community Plan Update.

(Pacific Beach Community Area. Districts-2 and 6.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the ordinance for Subitem A, which was introduced as amended on 3/29/94 (Council voted 9-0); and adopt the ordinance for Subitem B, which was introduced on 3/29/94 (Council voted 5-3. Districts 3, 6 and Mayor voted nay. District 4 not present):

Subitem-A: (O-94-85 Rev.) ADOPTED AS ORDINANCE O-18055
(New Series)

Re-zoning various properties located in the Pacific Beach Community Plan Area, into the OS-P, RV, CV, C-1 and M-SI Zones.

Subitem-B: (O-94-86) ADOPTED AS ORDINANCE O-18056 (New Series)

Amending Chapter X, Article 5, Division 2, of the San Diego Municipal Code by amending Section 105.0204, relating to Coastal Development Permits, to categorically exclude certain developments from the requirements of a Coastal Development Permit.

FILE LOCATION: LAND-Pacific Beach Community Plan

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Stevens. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea (nay on Subitem B), McCarty-yea, Vargas-yea, Mayor Golding-yea (nay on Subitem B).

* ITEM-54:

SUBJECT: Skyline Park Cost Reimbursement District No. 4074.

(Skyline Community Area. District-4.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance, which was introduced on
3/29/94 (Council voted 9-0):

(O-93-108) ADOPTED AS ORDINANCE O-18057 (New Series)

Waiving provisions of San Diego Municipal Code Section
62.0208 pertaining to the Skyline Park Cost
Reimbursement District.

FILE LOCATION: STRT CR-22

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO DISPENSE WITH THE READING AND
ADOPT ORDINANCE. Second by Stevens. Passed by the
following vote: Mathis-yea, Roberts-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

ITEM-55:

SUBJECT: Business License Taxes for Small Businesses.

CITY COUNCIL'S RECOMMENDATION:

Introduce the following ordinance, which was prepared
according to the direction of the City Council on 12/6/93:

(O-94-53) INTRODUCED, TO BE ADOPTED ON APRIL 25, 1994

Introduction of an Ordinance amending Chapter III,
Article 1, Division 3 of the San Diego Municipal Code,
by repealing and reenacting Section 31.0301 pertaining
to Business License Tax for Small Businesses, by
reducing the Business License Tax for small businesses
with twelve or fewer employees by approximately 50
percent effective July 1, 1994, from \$125 per business
and \$5 per employee to \$70 per business and \$3 per
employee, and eliminating the Business License Tax for

these businesses effective July 1, 1995.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: E152-577.)

MOTION BY ROBERTS TO REDUCE BUSINESS LICENSE TAX TO \$70 PER BUSINESS AND \$3 PER EMPLOYEE. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

MOTION BY ROBERTS TO ELIMINATE BUSINESS TAX FOR THESE BUSINESSES EFFECTIVE JULY 1, 1995 AND GO TO FULL COST RECOVERY. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-nay, McCarty-nay, Vargas-yea, Mayor Golding-yea.

* ITEM-100:

SUBJECT: Awarding a Contract for Wastewater Removal from Sump Holding Tanks located at Shoreline Parks and Mission Bay Park.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1265) ADOPTED AS RESOLUTION R-283645

Awarding a contract to Atlas Pumping Service (Lakeside, CA), for wastewater removal from sump holding tanks located at Shoreline Parks and Mission Bay Park, for a total estimated cost of \$45,738, as may be required for a period of one year beginning March 1, 1994 through February 28, 1995.

(BID-C4179/94)

CITY MANAGER SUPPORTING INFORMATION:

The restroom facilities located at shoreline parks and Mission Bay Park have public showers for the removal of salt water and sand. These showers drain into sumps that are part of the facility. To keep these sumps from overflowing and creating a health hazard, they must be cleaned out on a periodic basis. In the past this work has been done manually by Coastline Parks

Division personnel, or by the Water Utilities Department using their storm drain and sewer cleaning equipment. Manual cleaning was terminated at the request of Risk Management due to the potential for exposure of personnel to hazardous materials. As a result of budget constraints, and the increased need to keep sewers and storm drains clear, Water Utilities Department can no longer provide this service. The Coastline Parks Division does not have the mechanized equipment necessary to perform this function. A contract with an outside vendor is required. An alternative is to provide Coastline Parks Division with the equipment and personnel necessary to clean sumps. It is estimated that it would take approximately 0.50 Equipment Operator II to perform the work, but in practicality this would mean hiring a full position at an annual cost of \$45,000. The one time equipment cost for the sump cleaning vehicle would be approximately \$120,000. The annual operation, maintenance and replacement cost of this vehicle would be approximately \$14,000. This equates to a one time cost of \$120,000 plus an annual cost of \$59,000. It is more cost effective for the City to contract with a private vendor for sump cleaning than to do it in-house.

FILE LOCATION: CONT-Purchase - Atlas Pumping
 Service (Lakeside, CA) CONT FY94-1

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-101:

SUBJECT: Awarding a Contract for Wastewater Removal from Five
Holding Tanks at the Miramar Landfill.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1262) ADOPTED AS RESOLUTION R-283646

Awarding a contract to Al-Max Sanitation (San Diego)
for wastewater removal from five holding tanks located
at the Miramar Landfill, for a period of one year
beginning April 1, 1994 through March 31, 1995, for an
estimated cost of \$48,600, with options to renew the

contract for four additional one year periods with increases not to exceed 10 percent of the prices in effect in each prior period. (BID-C4194/94)

FILE LOCATION: CONT-Purchase - Al-Max Sanitation
(San Diego CONT FY94-1

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-102:

SUBJECT: Awarding a Contract for the Purchase of Reconditioning
of Specific Parts for Worthington Brand Pumps.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1263) ADOPTED AS RESOLUTION R-283647

Awarding a contract to Pacific Ship Repair and
Fabrication, Inc.(San Diego, CA) for the purchase of
reconditioning of specific parts for Worthington brand
pumps, as may be required for a period of one year
beginning March 1, 1994 through February 28, 1995, for
an estimated cost of \$45,200, including tax and terms,
with options to renew the contract for four additional
one year periods. (BID-E4158/94)

FILE LOCATION: CONT-Purchase - Pacific Ship Repair and
Fabrication, Inc. (San Diego, CA)
CONTFY94-1

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-103:

SUBJECT: Awarding Contracts for the Purchase of Miscellaneous
Police Vehicles.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1034) ADOPTED AS RESOLUTION R-283648

Awarding contracts for the purchase of miscellaneous
police vehicles, for an estimated cost of \$191,726.04,
including tax and terms:

1. Bob McClellan Buick, Inc. (La Mesa) for Item 1 -
Three Buick Regal Custom Coupes, and Item 2 - Two Buick
Regal GS Coupes.

2. Tuttle-Click Dodge (Irvine) for Item 3 - One Dodge
Ram B-250.

3. Miramar Lincoln Mercury (San Diego) for Item 4 -
Four Mercury Cougars. Authorizing the expenditure of
not to exceed \$191,726.04 from Fund/Dept. No. 100/110,
Organization No. 393/200, Object Account No. 6010, and
Job Order No. 111440/111475, for providing funds for
the project and related costs; Authorizing the City
Auditor and Comptroller, upon advice from the
administering department, to transfer excess budgeted
funds, if any, to the appropriate reserves.

(BID-C4169/94)

Aud. Cert. 9400962.

FILE LOCATION: CONT-Purchase - Bob McClellan Buick, Inc.
(La Mesa); Tuttle-Click Dodge (Irvine;
Miramar Lincoln Mercury (San Diego).
CONT FY-94-3

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-104:

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SUBJECT: Awarding a Contract for the Purchase of Miscellaneous
Print Shop Supplies.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1264) ADOPTED AS RESOLUTION R-283649

Awarding a contract to Reynolds Graphic Arts Corp.
(Santee, CA) for the purchase of Miscellaneous Print
Shop Supplies, as may be required for a period of one
year beginning November 15, 1993 through November 14,
1994, for an estimated cost of \$47,300, including tax
and terms.

(BID-E4090/94)

FILE LOCATION: CONT-Purchase - Reynolds Graphic Arts
Corp. (Santee, CA) CONT FY94-1

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-105:

SUBJECT: Purchase of Microwave Radio Equipment for the Mira Mesa
Boulevard/Miramar Road and Pacific Beach Traffic Signal
Microwave Systems.

(Districts-2 and 5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1417) ADOPTED AS RESOLUTION R-283650

Authorizing the City Manager to purchase microwave
radio equipment for the Mira Mesa Boulevard/Miramar
Road and Pacific Beach traffic signal microwave systems
from Motorola Inc. (San Diego); Authorizing the
expenditure of not to exceed \$82,496 from State Grant

Fund 38513 and CIP-63-013.0, Mira Mesa
Boulevard/Miramar Road Traffic Signal System; and
\$70,000 from TransNet Fund 30300 and CIP-68-008.0,
Traffic Signal Subsystems.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego is installing an enhanced, computer controlled traffic management system. Operation of the new network requires reliable high speed data communications from the remote traffic signal control locations to the central computer controller. The proposed resolution would authorize acquisition of the microwave radio equipment necessary to provide paths for traffic signal data from: a) a central hub located at Fire Station 38 to an existing City microwave radio site at Black Mountain and, b) from a central hub located at Fire Station 21 to an existing City microwave radio site at Pt. Loma. The existing City microwave radio network will then transport the traffic signal data to the central processor for system communications and control.

Aud. Cert. 9400950.

FILE LOCATION: CONT-Purchase - Motorola Inc. (San
Diego) CONT FY94-1

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-106:

SUBJECT: Two actions related to Construction of Fire Station #43
- Otay Mesa. (Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-1295) ADOPTED AS RESOLUTION R-283651

Inviting bids for Construction of Fire Station #43 on
Work Order No. 119526; Authorizing a contract with the
lowest responsible bidder; Authorizing the expenditure

of not to exceed \$2,311,785 from CIP-33-076.0, Fund 39062 (Developer Impact Fees); Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

(BID-K94213)

Subitem-B: (R-94-1296) ADOPTED AS RESOLUTION R-283652

Certifying that the information contained in Negative Declaration DEP-91-0333, dated November 3, 1993, in connection with construction of Fire Station #43, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that the Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION:

Capital Improvement Project CIP-33-076.0 provides for the design and construction of Fire Station #43 located at Brown Field Airport near Otay Mesa Road and La Media Road. The station will house one engine, one aerial ladder truck, one crash/rescue apparatus, and ten personnel. The station is required because of anticipated growth in the Otay Mesa area.

Aud. Cert. 9400908.

FILE LOCATION: W.O. 119526 CONT - The Augustine
Company CONT FY94-1

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-107:

SUBJECT: Two actions related to Inviting Bids for Water and
Sewer Replacement Group 507.

(Greater Golden Hill Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-1293) ADOPTED AS RESOLUTION R-283653

Inviting bids for the Construction of Water and Sewer
Group 507 on Work Order No. 172631;

Authorizing the execution of a contract with the lowest
responsible bidder; Authorizing the expenditure of not
to exceed \$1,485,230 from Sewer Revenue Fund 41506,
CIP-44-001, and not to exceed \$1,845,934, from Water
Revenue Fund 41500, CIP-73-083, for providing funds for
the project and related costs. (BID-K94212)

Subitem-B: (R-94-1294) ADOPTED AS RESOLUTION R-283654

Authorizing the use of City Forces to isolate and make
connections to the existing water system; declaring
that the cost of the work shall not exceed \$320,609.

CITY MANAGER SUPPORTING INFORMATION:

Water and Sewer Replacement Group 507 is located in the Greater
Golden Hill Community Area. This project is a portion of the
continuing Annual Capital Improvement Program to replace old and
deteriorated concrete sewer and cast iron water mains within the
City of San Diego. The sewer and water mains proposed to be
replaced were installed in the early 1920's. This project will
construct 13,723 feet of new 10-inch and 8-inch sewer pipe and
12,434 feet of 8-inch water main. The following streets will be
affected by construction operations: Granada Avenue, 29th
Street, Dale Street, 30th Street, Fern Street, Grove Street, 31st
Street, Edgemont Street, Beech Street, Cedar Street, and Date
Street. Residents will be notified by mail at least one month
before construction by the Water Utilities Systems Division and
ten days before construction by the contractor. Traffic control
plans have been prepared for this project and will be implemented
into the construction operations. It is estimated that award of
this project will create 12 new jobs in the local economy.

Aud. Cert. 9400842.

WU-P-94-086.

FILE LOCATION: W.O. 172631 CONT-BRH - Garver Inc.
CONT FY94-1

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.

Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-108:

SUBJECT: Three actions related to Inviting Bids for the
Construction of Sewer and Water Group 472.

(Greater North Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-1297) ADOPTED AS RESOLUTION R-283655

Inviting bids for the Construction of Sewer and Water
Group 472 on Work Order No. 180651/171011;

Authorizing the execution of a contract with the lowest
responsible bidder;

Authorizing the expenditure of \$1,001,346 from Sewer
Revenue Fund 41506, CIP-44-001, and \$847,426 from Water
Revenue Fund 41500, CIP-73-083. (BID-K94216)

Subitem-B: (R-94-1299) ADOPTED AS RESOLUTION R-283656

Authorizing the use of City Forces to isolate and make
connections to the existing water system to perform
construction operations and televise the sewer mains;
declaring that the cost of the work shall not exceed
\$68,780.

Subitem-C: (R-94-1298) ADOPTED AS RESOLUTION R-283657

Certifying that the information contained in Mitigated
Negative Declaration and Mitigation Monitoring and
Reporting Program, DEP-93-0260, dated September 10,
1993, has been completed in compliance with the
California Environmental Quality Act of 1970 and State
guidelines, and that said Declaration has been reviewed
and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION:

Water Replacement Group 472 is part of the City's ongoing Cast Iron Water and Concrete Sewer Main Replacement program. The water and sewer mains to be replaced in this project were constructed as early as 1929 and 1912, respectively; and have reached their useful service life. Replacement of these deteriorated water and sewer mains will continue to provide the community with a safe and reliable water and sewer infrastructure well into the next century. This project is in the Greater North Park community area and consists of replacing approximately 6,400 feet of 8-inch water main, 150 feet of 6-inch water main, and 6,800 feet of 8-inch sewer main and 31 manholes. The following streets will be affected by construction operations: Nile Street, Vancouver Avenue, Haller Street, Quince Street, Cooper Street, Maple Street, Montclair Street, and Kalmia Street. Residents will be notified by mail at least one month before construction by the Water Utilities Systems Division, and 10 days before construction by the contractor. Traffic control plans have been prepared for this project and will be implemented into the construction operations.

Aud. Cert. 9400782.

WU-P-94-073.

FILE LOCATION: W.O. 180651/171011 CONT - Cass
Construction Inc. CONT FY94-1

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-109:

SUBJECT: Two actions related to Construction of Seismic Retrofit
of the Pacific Highway Bridge Over the San Diego River
and Friars Road.

(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-1169) ADOPTED AS RESOLUTION R-283658

Inviting bids for the Construction of Seismic Retrofit of the Pacific Highway Bridge over Friars Road and the San Diego River on Work Order No. 112059;

Authorizing a contract with the lowest responsible bidder;

Accepting Program Supplement No. 11-5004/82 to Local Agency-State Agreement for Federal Aid Project, No. 11-5004(4), for an estimated amount of \$1,128,000;

Authorizing the City Manager to expend Supplemental No. 11-5004/82 Local Agency-State Agreement for Federal Aid Project Funds for an estimated amount of \$1,128,000 for purposes of executing the project;

Authorizing the Auditor and Comptroller to transfer \$25,382 from TransNet 30300 to CIP-52-551.0, Seismic Retrofit of Pacific Highway Bridge Over San Diego River;

Authorizing the expenditure of not to exceed \$129,382 from CIP-52-551.0, Seismic Retrofit of Pacific Highway Bridge Over San Diego River, for the purpose of executing this contract and related costs.
(BID-K94209FA)

Subitem-B: (R-94-1170) ADOPTED AS RESOLUTION R-283659

Certifying that the information contained in Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program DEP-93-0418, in connection with Construction of Seismic Retrofit of the Pacific Highway Bridge Over Friars Road and the San Diego River, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that the Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION:

This project provides for seismic retrofit improvements for Pacific Highway Bridge over the San Diego River. The principal design features include new bearing walls at abutments and providing longitudinal restrainer assemblies at hinges. This project is being proposed to increase the seismic resistance using today's state-of-the-art rehabilitation in regard to structural stability during a strong earthquake.

**Minutes of the Council of the City of San Diego
for the Regular Meeting of Monday, April 11, 1994**

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Aud. Cert. 9400172.

FILE LOCATION: W.O. 112059 CONT - L. R. Hubbard
Construction Company, Inc. CONT FY94-1

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

*** ITEM-110:**

SUBJECT: Termination of the Black Mountain Vistas North Unit No.
4 Subdivision Improvement Agreement and Release of
Bond.

(Located in the southwest corner of Carmel Mountain
Road and Entreken Way. Penasquitos East Community
Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1411) ADOPTED AS RESOLUTION R-283660

Terminating the Subdivision Improvement Agreement of
April 16, 1990, on file in the office of the City Clerk
as Document No. RR-275465, between Black Mountain Vista
Shopping Center, subdivider of Black Mountain Vistas
North Unit No. 4, and the City of San Diego;

Releasing Performance Bond No. 115 17 69, issued by
Insurance Company of the West, guaranteeing the
improvements in the subdivision.

CITY MANAGER SUPPORTING INFORMATION:

On April 16, 1990 the City approved the final map of Black
Mountain Vistas North Unit No. 4, a one lot subdivision, and
entered into an agreement with Black Mountain Vista Shopping
Center, a partnership (the subdivider), for the construction of
the public improvements necessary to serve the subdivision. To
date none of the required public improvements have been
completed.

The subdivider has requested that the City terminate the subdivision improvement agreement and release the bond, because they have no intention of building for several years. The improvements required under this agreement consist of fine grading, private drainage, and water and sewer facilities. These improvements are only for the purpose of serving this lot and will be required at the time of building permit issuance. The City's Field Division has confirmed that the improvements are not needed at this time and has recommended termination. When the economy improves and building on the site becomes feasible, then the improvements will be built concurrently with the construction of the building. Termination of the subdivision agreement and release of the bond are recommended.

FILE LOCATION: SUBD-Black Mountain Vista North Unit No. 4

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-111:

SUBJECT: Sunset Cliffs Boulevard (Brighton Avenue to W. Point
Loma Boulevard) Underground Utility District.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1343) ADOPTED AS RESOLUTION R-283661

Calling a public hearing to determine whether the public health, safety or general welfare requires the formation of an underground utility district to be known and denominated as the Sunset Cliffs Boulevard (Brighton Avenue to W. Point Loma Boulevard) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district will underground the overhead utility facilities on Sunset Cliffs Boulevard. This is a scheduled

project in the Calendar Year 1992 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities.

Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the under-grounding work approaches completion.

Aud. Cert. 9400874.

FILE LOCATION: STRT K-221

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-112:

SUBJECT: West Point Loma (Sunset Cliffs Boulevard to Nimitz
Boulevard) Underground Utility District.

(Ocean Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1340) ADOPTED AS RESOLUTION R-283662

Calling a public hearing to determine whether the public health, safety or general welfare requires the formation of an Underground Utility District to be known and denominated as the West Point Loma Boulevard (Sunset Cliffs Boulevard to Nimitz Boulevard) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district will underground the overhead utility facilities on W. Point Loma Boulevard. This is a scheduled

project in the calendar year 1992 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities.

Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date of removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 9400873.

FILE LOCATION: STRT K-222

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-113:

SUBJECT: Cost Reimbursement District - Entreken Way.

(Rancho Penasquitos Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1427 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-283663

Authorizing the City Manager to accept the application
of Poway Unified School District to form a cost
reimbursement district for Entreken Way;

Authorizing a District Formation and Monitoring Cost
Agreement with the property owner, under the terms and
conditions set forth in Agreement No. CR-23-2;

Accepting the cash advance of \$15,500 from the property
owner;

Authorizing the Auditor and Comptroller to establish
Entreken Way Cost Reimbursement District Fund No. 72014
and to make appropriate payments.

CITY MANAGER SUPPORTING INFORMATION:

The purpose of this Council action is to initiate proceedings for the formation of a cost reimbursement district in accordance with the provisions of the City's Cost Reimbursement District Procedural Ordinance.

This Ordinance provides property owners, who are required to construct certain public improvements above and beyond what is normally required to support their development, with a mechanism enabling them to seek reimbursement from other benefitting property owners.

The Poway Unified School District is in the process of constructing a school in the Rancho Penasquitos Community area adjacent to an unimproved section of Entreken Way. As a condition of developing the property, the City required that the school district extend and improve a portion of Entreken Way. The required public improvements being provided by the school district include the construction of sewer, water and storm drainage systems, a new roadway and the installation of street lights.

The current construction schedule anticipates a July 1994 completion date for the required public improvements. The Poway Unified School District is seeking partial recovery of the public improvement costs from an abutting property owner. Upon Council approval to initiate the reimbursement district proceedings, staff will prepare a report identifying the public improvements eligible for reimbursement and the percentage of costs proposed to be allocated to the abutting property owner. This report will be presented to the City Council at a noticed public hearing. Prior to the public hearing, staff will schedule a meeting with the affected property owner to explain the cost reimbursement district process and the spread methodology contained in the report.

Staff has notified the abutting property owner of this Council action to initiate Cost Reimbursement District proceedings.

FILE LOCATION: STRT CR-23

COUNCIL ACTION: (Tape location: A665-B476.)

Motion by Mathis to defer action until June when there will

be a better understanding of what is going to happen in this area. Motion withdrawn.

MOTION BY MATHIS TO ADOPT AS AMENDED TO ACCEPT THE APPLICATION BUT TO DEFER THE HEARING PROCESS UNTIL JUNE. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-114:

SUBJECT: Two actions related to FSDRIP Assessment District No. 4007 Refunding.

(See City Manager Report CMR-94-93. Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-1408) ADOPTED AS RESOLUTION R-283664

Making preliminary findings, declaring the intention to issue refunding bonds, and ordering a report for a Special Assessment District No. 4007R - First San Diego River Improvement project (FSDRIP) - Zone A (Refunding).

Subitem-B: (R-94-1409) ADOPTED AS RESOLUTION R-283665

Approving in preliminary form the Refunding and Reassessment Report for the Zone A parcels and setting the times and places for two public hearings.

FILE LOCATION: STRT D-2256

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-115:

SUBJECT: Establishing the Effie E. Sergeant Memorial Fund.

(North Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1420) ADOPTED AS RESOLUTION R-283666

Establishing the Effie E. Sergeant Memorial Fund with the bequest in the amount of \$285,000 from Chloie B. Sergeant, to be administered by the City Funds Commission;

Directing that the income from the permanent trust fund is to be used solely to benefit the North Park Branch Library for projects, services and programs over and above normal operating costs.

CITY MANAGER SUPPORTING INFORMATION:

Miss Chloie Sergeant, a long time North Park resident, died in May of 1993 and made the library a beneficiary in her will. Miss Sergeant had been a frequent patron of the North Park Branch Library and a member of the Friends of the North Park Library. Over the years the North Park Branch Library had been the recipient of both children's books and monetary donations from Miss Sergeant. Miss Sergeant requested the establishment of the Effie E. Sergeant Memorial Fund, in memory of her deceased mother.

The income from this fund is to benefit the North Park Branch Library for projects, services and programs over and above normal operating costs.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-116:

SUBJECT: Pastor Daniel P. Lantis Day.

DEPUTY MAYOR STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-94-1399) ADOPTED AS RESOLUTION R-283667

Proclaiming March 26, 1994 to be "Pastor Daniel P.
Lantis Day" in San Diego.

Commending Pastor Daniel P. Lantis for the
contributions he has made to make the San Diego
community a better place to live.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-117:

SUBJECT: Excusing Councilmember Judy McCarty from the 2/22/94
Council Meeting.

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1403) ADOPTED AS RESOLUTION R-283668

Excusing Councilmember Judy McCarty from attending the
regularly scheduled Council meeting of Tuesday,
February 22, 1994, due to out of town personal
business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,

McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-118:

SUBJECT: Substitute Financing for Conversion of Designated
Street Lights to High Pressure Sodium.

(Centre City, Golden Hills, South Encanto, Valencia
Park, and Skyline Community Areas, and all high crime
areas south of Interstate 8. Districts-2,3,4, & 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1424) ADOPTED AS RESOLUTION R-283669

Authorizing the Auditor and Comptroller to transfer not
to exceed \$287,820 from CIP-68-012.0, Conversion of
Designated Street Lights to High Pressure Sodium, Gas
Tax Fund 302191 to Gas Tax Fund Balance for the
conversion of the designated street lights in the
Central Business District and high crime areas south of
Interstate 8;

Authorizing the Auditor and Comptroller to reprogram
\$44,000 from Fund 18528 (CDBG) to Fund 18529 (CDBG);

Authorizing the Auditor and Comptroller to transfer not
to exceed \$146,750 to CIP-68-012.0 from: Fund 70213,
Gaslamp Quarter Lighting and Landscape Maintenance
District (\$19,600); CIP-52-293.0 (Annual Allocation -
Installation of City-owned Street Lights) Transnet Fund
30300 (\$68,150); and CDBG Fund 18529 (\$59,000);
Decreasing the currently authorized expenditure of
\$918,820 from CIP-68-012 by \$141,070 to \$777,750.

CITY MANAGER SUPPORTING INFORMATION:

On December 7, 1993 Council approved expenditure of up to
\$918,000 for conversion of street lights in the Central Business
District and high crime areas south of I-8 to High Pressure
Sodium Vapor. A portion of the funding, \$287,820, was from the
Gas Tax Fund Balance. While approving the funding as presented,
Council also directed the Manager to seek an alternative funding
source to the Gas Tax Fund Balance. Alternative funding has been
found. Therefore, it is requested that \$287,820 be transferred

from CIP-68-012.0 to Gas Tax Fund Balance (302191).

Replacement funding in the amount of \$168,570 has been identified. The remaining \$119,250 will not be required since it has been determined that the Golden Hills revitalization area will not require conversion funding (\$88,000) because High Pressure Sodium Lighting will be installed during construction by CIP-37-224.0 (Golden Hill Commercial Revitalization); and the high crime area street light inventory has been refined, consequently reducing the funding need by \$31,250. At the December hearing, Council directed the Manager to transfer up to \$65,000 in additional funding from CDBG money to speed the conversion in City Heights. It has been determined that \$59,000 is available from this source. These funds will be used to employ additional personnel to convert City Heights concurrently with the Central Business District. Council also requested a plan to make maximum use of all salvaged Low Pressure Sodium Vapor equipment. Maximum use will be made of the salvageable fixtures as a supply source for other CIP projects for increased lighting.

Aud. Cert. 9400951.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E578-F048.)

MOTION BY ROBERTS TO ADOPT ITEMS 118 AND 119. Second by Kehoe. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-nay, Stallings-nay, McCarty-nay, Vargas-yea, Mayor Golding-yea.

ITEM-119:

SUBJECT: Additional Funding for Balboa Park Golf Course Greens Reconstruction.

(Balboa Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1360) ADOPTED AS RESOLUTION R-283670

Authorizing the Auditor and Comptroller to transfer not to exceed \$61,000 from Golf Course Enterprise Fund No.

41400, to CIP-23-014.0, Balboa Park Golf Course Greens Reconstruction;

Authorizing the expenditure of not to exceed \$130,000 from CIP-23-014.0, Balboa Park Golf Course Greens Reconstruction, Golf Course Enterprise Fund No. 41400, to supplement the funding previously authorized by Resolution R-280497.

CITY MANAGER SUPPORTING INFORMATION:

Balboa Park Golf Course Greens Reconstruction is located east of Pershing Drive between 26th Street and 28th Street. The improvements include the reconstruction of twelve holes on the 18-hole course, replacement of all nine greens on the 9-hole course, realignment and repair to sections of the existing cart path and upgrading the existing irrigation system. On August 10, 1992, Council approved plans and specifications and authorized the expenditure of project funds. On October 6, 1992 bids were received.

The low base bid of \$1,577,400 was \$122,577 over the engineer's estimate of \$1,464,823. Funds required to fully fund the project were not available in the FY 93 CIP. The \$122,577 shortfall was addressed by minimizing the fund allocations for contingencies, construction administration and inspection and by reducing the scope of work through acceptance of a deductive alternate in the amount of \$67,000.

Construction of improvements started April 19, 1993. Contract change orders have already depleted the contingencies fund. An additional \$130,000 is required to complete this project.

Aud. Cert. 9400862.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E578-F048.)

MOTION BY ROBERTS TO ADOPT ITEMS 118 AND 119. Second by Kehoe. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-nay, Stallings-nay, McCarty-nay, Vargas-yea, Mayor Golding-yea.

MOTION BY ROBERTS TO RECONSIDER. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

MOTION BY ROBERTS TO ADOPT. Second by Stevens. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-yea.

* ITEM-120:

SUBJECT: Acquisition of Land and Building for the Mid-City Area Police Station.

(District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1339 Cor. Copy) ADOPTED AS RESOLUTION R-283671

Authorizing the City Manager to submit and execute an application with the U.S. Department of Housing and Urban Development for a Section 108 Loan Guarantee to partially finance the acquisition of land and building to be dedicated as the Mid-City Area Police Station;

Amending the Fiscal Year 1994 Community Development Block Grant Budget.

CITY MANAGER SUPPORTING INFORMATION:

The City is presently negotiating to acquire the land and the approximately 22-year old, 30,000 square foot building located at 4310 Landis Street in the Mid-City area. This building will be renovated and dedicated as the Mid-City Area Police Station. The building is centrally located in the Mid-City area and will provide work space for up to 277 Police Department employees. The proposed CDBG loan application would provide the major financing necessary to fund this project. The loan would be repaid over a ten year period using future CDBG entitlement funds from the Third and Seventh Council Districts. This project is only for acquisition and additional environmental review will be required prior to release of any funds for construction and/or renovation or design.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-121:

SUBJECT: Station 38 Dispatch Console Upgrade.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1425) ADOPTED AS RESOLUTION R-283672

Authorizing the City Manager to upgrade the Public
Service Dispatch (Station 38) console system at the
Chollas Operations Center;

Authorizing the expenditure of not to exceed \$94,500
from Capital Outlay Other Fund 30244, CIP-37-012.0,
Annual Allocation - Communications System Requirements,
for the purpose of purchasing, modifying, and
installing the equipment;

Authorizing the use of City Forces to modify the
dispatch facility to install this equipment.

CITY MANAGER SUPPORTING INFORMATION:

The Public Service Dispatch (Station 38) console system at the
Chollas Operations Center has old and unreliable equipment which
can no longer adequately support the needs of the users. The
proposed project will upgrade the console system to include the
installation of new CRT based hardware and software similar to
that used by the City's Public Safety dispatch centers. It is
further proposed that City Forces install the new equipment due
to the critical nature of interfacing the new equipment with the
existing City Communications network.

Aud. Cert. 9400949.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.

Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-122:

SUBJECT: Agreement for Engineering Services for the Interior and
Exterior Rehabilitation of the Paradise Hills
Standpipe.

(Skyline/Paradise Hills Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1406) ADOPTED AS RESOLUTION R-283673

Authorizing the execution of an agreement with Beyaz &
Patel, Inc. (Walnut Creek, CA), for engineering
services for the interior and exterior rehabilitation
of the Paradise Hills Standpipe;

Authorizing the expenditure of not to exceed \$195,400
from Water Revenue Fund No. 41500, Annual Allocation -
Standpipe and Reservoir Restorations, CIP-73-277.0;

Authorizing the City Manager to finance or refinance
the project with tax exempt securities, if
circumstances so warrant.

CITY MANAGER SUPPORTING INFORMATION:

This agreement will provide engineering services for the
preparation of plans and specifications for the removal of all
existing protective coatings and the application of new coatings
to the Paradise Hills Standpipe and the installation of other
related safety equipment to meet current OSHA and EPA Safety and
water quality standards. Restoration of this water storage
facility is necessary to provide an adequate service level to the
area. The names of five structural engineering consultants were
provided to us by the Consulting Selection Coordinator.

The Water Utilities Department interviewed these five firms in
accordance with Council Policy 300-7. Beyaz & Patel Inc., an MBE
consultant, was selected for this project. The Geotechnical Firm
of Robert Prater Associates will perform 6.6 percent of the work;

the lead abatement firm of United States Testing Company will perform 1.1 percent of the work; the Corrosion Firm of DeC Consultants, a WBE consultant, will perform 7.5 percent of the work; and the Civil Engineering Firm of Barrett Consulting Group will perform 8.9 percent of the work. During the construction phase of this project the consultant will provide specialized inspection services which include environmental monitoring, lead-based paint abatement, corrosion and coating inspections.

Aud. Cert. 9400923.

WU-U-94-118.

FILE LOCATION: MEET CCONT FY94-1

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-123:

SUBJECT: Utility Agreements with the State of California
Department of Transportation.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1430) ADOPTED AS RESOLUTION R-283674

Authorizing utility agreements with the State of California, Department of Transportation, for relocation of water main facilities within the Interstate I-5/SR 56 construction project, under the terms and conditions set forth in Utility Agreement No. 29070 and No. 29151;

Authorizing the Auditor and Comptroller to transfer not to exceed \$130,500 within Water Revenue Fund 41500, from CIP-73-083.0, Annual Allocation - Water Main Replacement, to CIP-73-024.0, Annual Allocation - Freeway Relocation;

Authorizing the expenditure of not to exceed \$180,500 from Water Revenue Fund 41500, CIP-73-024.0, Annual Allocation - Freeway Relocation, to provide funds for these agreements, inclusive of work by City Forces;

Authorizing the use of City Forces to make connections and perform operational checks as required in connection with Utility Agreements No. 29070 and 29151; declaring that the cost of the work shall not exceed \$15,500;

Authorizing the City Manager to finance or refinance this project with tax exempt securities, if circumstances so warrant.

CITY MANAGER SUPPORTING INFORMATION:

GENERAL: Both agreements result from conflicts caused by the proposed construction of I-5/State Route 56 interchange. All work will be performed by the State Contractor, except for a small amount by City forces.

AGREEMENT NO. 29070:

A portion of the 24-inch Del Mar Heights pipeline is in conflict with the widening of the northbound lanes of I-5, approximately 500 feet north of Del Mar Heights Road. Because the State has prior rights in this area, the City will pay for all costs associated with the relocation (estimate is \$177,000).

AGREEMENT NO. 29151:

A 4-inch water line is in conflict with an off-ramp at the I-5/SR 56 interchange, and must be relocated from the "old" El Camino Real to the "new" El Camino Real. Because the City has prior rights, the State will pay for all costs associated with the relocation, including reimbursing the City for an estimated \$3,500 of City force work.

Aud. Cert. 9400966.

WU-U-93-078.

FILE LOCATION: WATER-State of California, Department of
Transportation CONT FY94-1

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-124:

SUBJECT: Extension of Lease Agreement with Peter De Jong.

(San Pasqual Valley/Lake Hodges Community Area.
District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1160) ADOPTED AS RESOLUTION R-283675

Authorizing a three-year extension to the lease with
Peter De Jong, extending the lease term from November
1995 to November 1998, for approximately 158 acres in
San Pasqual Valley.

CITY MANAGER SUPPORTING INFORMATION:

Peter De Jong leases a dairy farm on Cloverdale Road in San Pasqual Valley from the City of San Diego. His existing lease will expire on November 23, 1995. Mr. De Jong has requested that his lease be extended for three additional years to November 23, 1998. This extension is necessary because Mr. De Jong must plan at least two years in advance in order to keep his herd at the optimum size and condition. If his lease is not extended or renegotiated, he must begin to make arrangements to either move his herd to another location or to reduce his herd in anticipation of going out of business in this location. Portions of the San Pasqual Valley are being considered for inclusion in the Multiple Species Conservation Program (MSCP).

The City Manager advised the City Council last year that no leases over three years or lease extensions extending leases past three years would be granted pending a decision by the City Council on the MSCP. In Mr. De Jong's case, there is good reason to waive this policy because he has been a good lessee, the lease extension would give him a total term of less than five years, and he would be forced to close his dairy business in San Pasqual if the lease extension is not granted. The lease extension issue was reviewed and approved by the City's Agricultural Advisory Board. The San Pasqual Planning Group, San Dieguito River Park JPA, and MSCP staff have been informed and have raised no objections to the extension.

FILE LOCATION: LEAS-Peter De Jong, San Pasqual Valley

LEAS FY94-1

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-125:

SUBJECT: Increased Expenditure Fiscal Year 1994 Household
Hazardous Materials Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1434) ADOPTED AS RESOLUTION R-283676

Authorizing the execution of a third amendment to the
Greenfield Services Corporation Agreement for expanded
collection event services and reinstatement of the
drop-off service;

Authorizing the increased expenditure of not to exceed
\$95,000 from Fund 41200, Object Account 4146 and Job
Order No. 2259 for this purpose.

CITY MANAGER SUPPORTING INFORMATION:

With the signing of Assembly Bill 1220 on October 1, 1993, the Integrated Waste Management Fee Law was created under the control of the California Integrated Waste Management Board (CIWMB). This new law created a one-time solid waste disposal fee savings of \$181,680.66 which must be expended on household hazardous waste programs or on specified landfill activities. The CIWMB approved the expenditure of \$95,000 on the City's Household Hazardous Materials Program to include extending the hours of operation at the three remaining one-day collection events and reinstating the drop-off service which was discontinued after October 4, 1993 due to budget constraints. This expenditure requires Council action to approve an amendment to increase the agreement with Greenfield Services Corporation, the current household hazardous waste disposal contractor, by \$95,000. The remaining balance of the disposal fee savings will be spent on other CIWMB approved expenditures which do not require Council

action.

Aud. Cert. 9400469-Rev.

FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-126:

SUBJECT: PacTel Cellular Right of Entry Permit.

(Mount Woodson Community Area.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1385) ADOPTED AS RESOLUTION R-283677

Authorizing the execution of a 25 year right of entry
permit with PacTel Cellular, for the use of the
City-owned portion of the Mount Woodson access road to
and from the Permittee's communication site.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego and the California Department of Forestry own adjacent communication sites atop Mount Woodson, and both sites are served by a common access road, part of which is owned by the City, and the remainder is owned by the Forestry Department. PacTel has entered into a 25 year lease for transmission space in the Forestry facility. They are seeking a non-exclusive right of entry permit for use of the access road to coincide with the term of their lease. As established by a long term agreement between the City and the Department of Forestry, the City Streets Division does all maintenance on the entire access road, then invoices the City's Communication and Electrical Division for the costs. The costs are then prorated and invoiced to all users of the mountain top.

FILE LOCATION: LEAS-PacTel Cellular, Mount Woodson

communication site LEAS FY94-1

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-127:

SUBJECT: Operation Weed and Seed: Palavra Tree, Inc., Health,
Environment and Police Science Academy for Youth
Agreement.

(Districts-2 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1391) ADOPTED AS RESOLUTION R-283678

Authorizing the City Manager to enter into an agreement
with Palavra Tree, Inc. (San Diego), to provide phase
three of the original "Health, Environment, and Police
Science Academy for Youth" program through April 30,
1994, contingent upon extension of the agreement
period;

Authorizing the City Manager to expend Operation Weed
and Seed grant funds to execute this agreement,
including any amendments or extensions, and to certify
that the City will comply with all applicable statutory
or regulatory requirements related to the grant.

CITY MANAGER SUPPORTING INFORMATION:

In October, 1992, the City entered into an agreement with the
Bureau of Justice Assistance to administer Operation Weed and
Seed. A Neighborhood Council and an Executive Steering Committee
were formed to direct the program and prioritize resources. In
September, 1993, the City entered into an agreement with Palavra
Tree, Inc., for two phases of a Health, Environment, and Police
Science Academy for Youth.

The original agreement for \$22,430 was processed as a City

Manager Action Request, and indicated that if the program was augmented to exceed \$25,000, a Request for Council Action would be processed. The Neighborhood Council and the Executive Steering Committee recommend that an additional \$6,490 be expended on a Police Science Lab, to complete the original plan Academy curriculum. Council Policy 300.7, and Administrative Regulations 2.2, 6.5, and 6.9, were satisfied prior to letting the contract through a public advertising and bid process. The Bureau of Justice Assistance has approved a grant period extension, and grant funds are available to fund this expenditure.

Aud. Cert. 9400882.

FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-128:

SUBJECT: Extension of Regional Urban Information System (RUIS).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1048) ADOPTED AS RESOLUTION R-283679

Authorizing the execution of a one-year extension to the agreement of the current ten-year Regional Urban Information System (RUIS) Agreement between San Diego Data Processing Corporation, The City of San Diego, and the County of San Diego, with an option to a second year extension for an additional year until May 14, 1996.

CITY MANAGER SUPPORTING INFORMATION:

On May 14, 1984, the San Diego Data Processing Corporation, The County of San Diego and The City of San Diego entered into an agreement which provided for joint development and operation of an automated system to be known as the Regional Urban Information

System (RUIS). The agreement will expire by its own terms on or about May 14, 1994 unless extended by the mutual agreement in writing of all contracting parties. The parties want to extend the agreement for one additional year through May 14, 1995 and to permit a second extension for an additional year until May 14, 1996 if the parties so desire. The terms and conditions of the current contract will remain the same throughout each of the extension periods.

FILE LOCATION: MEET CONT FY94-2

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-129:

SUBJECT: Appointment to the Board of Zoning Appeals.

(See memorandum from Mayor Golding dated 3/30/94 with
resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1438) ADOPTED AS RESOLUTION R-283680

Council confirmation of the appointment by the Mayor of
Jay Wharton, to serve as a member of the Board of
Zoning Appeals, for a term ending March 1, 1996,
replacing Gordon Carrier, whose term has expired.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-130:

SUBJECT: Appointment to the Commission on the Status of Women.

(See memorandum from Mayor Golding dated 3/31/94 with
resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1439) ADOPTED AS RESOLUTION R-283681

Council confirmation of the appointment by the Mayor of
Starla Lewis, to serve as a member of the Commission
on the Status of Women, for a term ending March 1,
1996, replacing Marilyn Robinson, whose term has
expired.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-131:

SUBJECT: Appointment to the Park and Recreation Board.

(See memorandum from Mayor Golding dated 3/30/94 with
resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1443) ADOPTED AS RESOLUTION R-283682

Council confirmation of the appointment by the Mayor of
Peggy Lacy, to serve as a member of the Park and
Recreation Board, for a term ending March 1, 1996,
replacing Jim Dudley, whose term has expired.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-132:

SUBJECT: Three actions related to Otay Mesa Truck Route
Financing.

(See City Manager Report CMR-93-338. Otay Mesa and
Shelltown Community Areas. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-1377) ADOPTED AS RESOLUTION R-283683

Certifying that Mitigated Negative Declaration
DEP-94-0078, has been completed in compliance with the
California Environmental Quality Act of 1970 and State
guidelines, and that the information contained in the
report, together with any comments received during the
public review process, has been reviewed and considered
by Council in connection with the Otay Mesa Truck Route
Financing.

Subitem-B: (R-94-1389) ADOPTED AS RESOLUTION R-283684

Authorizing a Cooperative Agreement with CalTrans to
transfer \$300,000 from CalTrans to CIP-52-589.0 (Otay
Mesa Truck Route - Otay Mesa Road to U.S. Port of
Entry);

Directing the City Manager to continue to pursue
\$1,200,000 in Federal funding to reimburse the City for
its expenses on the truck route facility, and to pursue
another \$1,000,000 to upgrade to a permanent facility;

Authorizing the Auditor and Comptroller to transfer not
to exceed \$1,200,000 from CIP-52-347.0 (Division Street
from Interstate 5 to 43rd Street) to CIP-52-589.0 (Otay
Mesa Truck Route) of TransNet financing;

Authorizing the Auditor and Comptroller to transfer not to exceed \$50,000 from CIP-52-521.0 (City Assisted Local Street Improvements) to CIP-52-589.0 (Otay Mesa Truck Route) of TransNet financing.

Subitem-C: (R-94-1390) ADOPTED AS RESOLUTION R-283685

Amending the Fiscal Year 1994 CIP Budget by adding CIP-52-589.0 (Otay Mesa Truck Route).

Aud. Cert. 9400909.

FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stevens. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-133:

SUBJECT: Actions Associated with Brown Field.

(See City Manager Report CMR-94-05; Thomas Silva's 1/14/94 letter; Paladin Aviation's 2/10/94 memo. Otay Mesa Community Area. District-8.)

PUBLIC FACILITIES AND RECREATION COMMITTEE'S RECOMMENDATION:

On 2/16/94, PF&R voted 5-0 to recommend adoption of the following resolution (Councilmembers Mathis, Kehoe, Warden, Stallings and McCarty voted yea):

(R-94-1278) ADOPTED AS RESOLUTION R-283691

Authorizing the City Manager to proceed with processing the Brown Field Master Plan update and continue with the development and implementation of the Brown Field Workplan.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F049-093.)

MOTION BY VARGAS TO ADOPT AND THAT THE ISSUE OF A CURFEW BE

RETURNED TO PF&R. Second by Mathis. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-150:

SUBJECT: Incarceration Fees.

(See the City Attorney's Report dated 1/19/94.)

PUBLIC SERVICES AND SAFETY COMMITTEE'S RECOMMENDATION:

On 2/9/94, PS&S voted 4-0 to recommend introduction of the following ordinance (Councilmembers Roberts, Kehoe, Stevens and McCarty voted yea; Councilmember Vargas not present):

(O-94-84) INTRODUCED, TO BE ADOPTED ON APRIL 25, 1994

Introduction of an Ordinance amending Chapter V, Article 1, of the San Diego Municipal Code by adding Division 30 and Sections 51.3001, 51.3002 and 51.3003, relating to Recovery of Incarceration Costs from Sentenced Prisoners.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY MCCARTY TO INTRODUCE. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-151:

SUBJECT: Request for Approval of Human Relations Commission Social Impact Assessments Project and Grant Proposal.

(See Human Relations Commission Memo dated 11/17/93).

PUBLIC SERVICES & SAFETY COMMITTEE'S RECOMMENDATION:

On 12/1/93, PS&S voted 4-0 to recommend adoption of the following resolution (Councilmembers Roberts, Hartley, Stevens, and Vargas

voted yea; Councilmember Wolfsheimer not present):

(R-94-933) RETURNED TO CITY MANAGER

Authorizing the Human Relations Commission to apply for a joint grant with San Diego State University for research and funding for the Social Impact Assessment Project.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY KEHOE TO RETURN TO CITY MANAGER AT HIS REQUEST. Second by Stevens. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200:

SUBJECT: Housing Authority Approval of Various Housing Matters.

CITY COUNCIL'S RECOMMENDATION:

Introduce the following ordinance which was prepared according to the direction of the City Council on 1/18/94:

(O-94-78) INTRODUCED AS AMENDED, TO BE ADOPTED ON APRIL 25, 1994

Introduction of an Ordinance amending Chapter IX, Article 8, Division 3, of the San Diego Municipal Code, by amending Section 98.0301, relating to the San Diego Housing Commission.

CITY ATTORNEY SUPPORTING INFORMATION:

In January the City Council considered a resolution restructuring the Housing Commission and an ordinance amending the Municipal Code to require the concurrence of three Councilmembers (rather than the previous one Councilmember) to refer Housing Commission actions to the Housing Authority for final approval. As part of the discussion, the City Council directed that an additional ordinance be prepared whereby certain significant actions previously approved by the Housing Commission would automatically be referred to the Housing Authority for final approval.

The ordinance, as prepared, specifies that the following items will automatically be referred to the Housing Authority for approval:

1. Approval of any proposed acquisition, sale, or lease of real property for a term in excess of five years;
2. Approval of any development project or rehabilitation loan commitment involving the expenditure of more than \$250,000 by the Housing Commission;
3. Approval of any contract for acquisition of goods or services (other than a construction contract for a development project) involving the expenditure of more than \$100,000 by the Housing Commission.
4. The establishment or approval of any new policy relating to the method of operations of the Housing Commission.

In addition, the ordinance clarifies that the Executive Director, if necessary, has the authority to execute grant agreements with HUD in order to meet HUD deadlines even if the Housing Authority has not yet approved such execution. The amendment also makes it clear that the Executive Director has the authority to prepare and submit applications for funding without Housing Authority action where the funding will support programs consistent with the Housing Commission's approved mission and goals.

Finally, the ordinance specifies that the City Council may, at any time by resolution add, delete or otherwise modify the items which automatically require Housing Authority approval.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: C252-540.)

MOTION BY MATHIS TO INTRODUCE WITH THE AMENDMENT THAT (iv) OF THE ORDINANCE BE CHANGED TO READ: "THE ESTABLISHMENT OR APPROVAL OF ANY NEW MAJOR POLICY RELATING TO THE METHOD OF OPERATION OF THE HOUSING COMMISSION." Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Three actions related to authorizing Master Lease

Agreements for Financing the Acquisition of Equipment
through Lease-Purchase.

(See City Manager Report CMR-94-89.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinances:

Subitem-A: (O-94-91) INTRODUCED, TO BE ADOPTED ON
APRIL 25, 1994

Introduction of an Ordinance authorizing a Master Lease Agreement for three, four, and five-year lease terms, with GE Capital Public Finance (Minneapolis, Minnesota) for financing the acquisition of equipment through lease-purchase.

Subitem-B: (O-94-92) INTRODUCED, TO BE ADOPTED ON
APRIL 25, 1994

Introduction of an Ordinance authorizing a Master Lease Agreement for a seven-year lease term, with Friedman, Luzzatto and Co. (Santa Monica, CA) for financing the acquisition of equipment through lease-purchase.

Subitem-C: (O-94-93) INTRODUCED, TO BE ADOPTED ON
APRIL 25, 1994

Introduction of an Ordinance authorizing a Master Lease Agreement for four, five and seven-year lease terms, with Koch Financial Corporation (Wichita, Kansas) for financing the acquisition of equipment through lease-purchase as a back-up to the GE Capital Public Finance and Friedman, Luzzatto and Company agreements.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A279-662.)

MOTION BY McCARTY TO INTRODUCE. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202:

SUBJECT: Street Maintenance Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1433) ADOPTED AS RESOLUTION R-283687

Accepting the City Manager's briefing on the Street
Maintenance Program for the City of San Diego.

CITY MANAGER SUPPORTING INFORMATION:

In response to City Council direction, the City Manager will
brief the Council on the Street Maintenance Program of the City
of San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C542-E164.)

MOTION BY McCARTY TO ADOPT. Second by Stallings. Passed by
the following vote: Mathis-yea, Roberts-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

ITEM-203:

SUBJECT: Reallocation of Funding in the Settlement of Scheidel
vs. City.

(Linda Vista Community Area. Districts-5 and 6.)

(R-94-2043) ADOPTED AS RESOLUTION R-283688

Directing the City Manager and City Auditor to
reallocate the funding utilized in the settlement of
Scheidel vs. City.

Alternative applicable choices to provide the balance
of \$324,000 are:

1. The City Manager's recommendation of March 21,
1994;
2. Use \$324,000 TRANSNET funding which is available
from the completed Friars Road Bridge Widening

Project;

3. Utilize \$80,000 of unprogrammed CDBG funds and \$244,000 from a Pacific Beach housing project which is also CDBG funds;

4. Utilize the Public Liability Fund which is City General Fund money; or

5. Any combination of CDBG, TRANSNET, and the Public Liability Fund.

CITY MANAGER'S RECOMMENDATION:

Approve reallocation of the funding.

CITY MANAGER SUPPORTING INFORMATION:

During the City Council meeting of March 21, 1994 the Council approved the settlement of \$415,000 to Carolyn E. Scheidel involving the Linda Vista Road Landscaping project. The Council also directed the City Manager to return with alternative funding suggestions.

Because \$91,000 has been previously allocated for the project itself, a balance of \$324,000 is needed. Alternative applicable choices are:

1. The City Manager's recommendation of March 21, 1994;
2. Use \$324,000 TRANSNET funding which is available from the completed Friars Road Bridge Widening Project;
3. Utilize \$80,000 of unprogrammed CDBG funds and \$244,000 from a Pacific Beach housing project which is also CDBG funds;
4. Utilize the Public Liability Fund which is City General Fund money; or
5. Any combination of CDBG, TRANSNET, and the Public Liability Fund.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B480-C251.)

MOTION BY McCARTY TO USE PUBLIC LIABILITY FUNDS TO PAY OFF THIS LITIGATION, THAT CDBG MONEY IS TO BE USED FOR CDBG AND TRANSNET MONEY WILL REMAIN PURE FOR TRANSNET PROJECTS AND THAT THE MONEY LEFT OVER FROM FRIARS ROAD WOULD BE USED FOR WHAT IT WAS INTENDED - TO GO OUT AND FIX POTHOLES THROUGHOUT THE CITY. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-nay,

Warden-yea, Stallings-yea, McCarty-yea, Vargas-nay, Mayor
Golding-yea.

ITEM-204:

SUBJECT: Declaring a Continued State of Emergency regarding the
Discharge of Raw Sewage from Tijuana, Mexico.

(San Ysidro and Tijuana River Valley Community Areas.
District-8.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1407) ADOPTED AS RESOLUTION R-283689

Declaring a continued State of Emergency regarding the
discharge of raw sewage from Tijuana, Mexico.

CITY MANAGER SUPPORTING INFORMATION:

For over 50 years, renegade raw sewage flows from Tijuana, Mexico have flowed across the international border in the Tijuana River into the United States. These flows have impacted the health and safety of San Diego residents. The permanent solution to this border situation is the construction of the proposed International Treatment Plant by the federal government. This plant is expected to be operational by 1998 and will treat raw sewage from Mexico. In the interim, until the international plant is constructed, the City in 1991, agreed to accept and treat 13 million gallons per day of Tijuana sewage in the Metropolitan Sewerage System. The amount of flow that the City can accept is limited due to the capacity of the emergency connection. Due to increased water availability and usage in Tijuana, raw sewage flows in the Tijuana River have increased. These flows are beyond the capacity that can be handled by the Mexican treatment system and the emergency connection. These increased flows threaten the health, safety and welfare of the citizens of San Diego. The continued declaration of emergency will enable the City to assist state and federal agencies in expediting the treatment of this international sewage. The government code requires the local governing body to review a State of Emergency every fourteen days until the local emergency is declared terminated. This action requests the continuation of the State of Emergency declared by City Council on September 7, 1993 and authorization for the City Manager to execute all

necessary contracts for the diversion, treatment, and disposal of international raw sewage.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A279-662.)

CONSENT MOTION BY McCARTY_TO_ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 8:41 p.m. in honor of the memory of Millie Watson, requested by Mayor Golding and Patricia Province.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: F087-110).